

0-09-88

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE LEVYING ANNUAL CHARGES FOR PROPERTIES LYING WITHIN THE BOUNDARIES OF THE ARGENTA DOWNTOWN CENTRAL BUSINESS IMPROVEMENT DISTRICT NO. 31 OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

WHEREAS, more than two-thirds (2/3) in value of the property holders owning property adjoining the locality to be affected and situated in Argenta Downtown Central Business Improvement District No. 31 of North Little Rock, Arkansas (the "District"), organized for the purpose of:

(i) **PUBLIC SAFETY:** Provide for management of a safe downtown by providing Ambassadors to patrol the District and assist area residents, business persons, customers, visitors, and others with information and supervision; and

(ii) **AESTHETIC IMPROVEMENT:** Provide for management of a beautiful downtown by providing Ambassadors to plant and maintain flowerbeds, pots, hanging baskets, and other improvements including weed control and maintenance activities; and

(iii) **HEALTH AND SANITATION:** Provide for management of a clean downtown by providing Ambassadors for litter removal, gum removal, sidewalk power washing, graffiti removal, cleaning of street appurtenances, and related tasks using new equipment such as sidewalk sweepers, power washers, street vacuums, and hand tools; and

(iv) **PROMOTION AND MARKETING:** Provide for management to promote and market the arts such as performance, musical, literary, visual, spoken word, culinary, and other cultural and sports related activities and venues through events and programs in the District that inspire, educate, inform, and entertain; and

(v) **GENERAL PURPOSE:** Administration, management, and personnel for all things now or hereafter permitted under applicable law, including, without limitation, A.C.A. §14-184-115 to be done and performed by central business improvement districts; and

have petitioned the governing body of the City of North Little Rock, Arkansas for the conduct of the forgoing purposes, and that the cost thereof shall be assessed upon the real property of said District according to the benefits received; and

WHEREAS, the District was established on September 28, 2009, by North Little Rock Ordinance No. 8197; and

WHEREAS, the Commissioners for the District have filed with the North Little Rock City Clerk on November 9, 2009, the Plan of Development and Estimated Costs as required pursuant to A.C.A. §14-184-112; and

WHEREAS, the Assessors for the District have filed with the North Little Rock City Clerk on November 12, 2009, the book of assessed benefits as required pursuant to A.C.A. §14-90-401; and

WHEREAS, the Assessors for the District have filed with the with the North Little Rock City Clerk on November 18, 2009, the corrected book of assessed benefits, correcting descriptions of lands and including and assessing the benefit of omitted lands, as required pursuant to A.C.A. §14-90-601; and

WHEREAS, the City Clerk of North Little Rock has caused to be published on November 19, 2009, notice of the filing of the assessments as required pursuant to A.C.A. §14-90-402; and

WHEREAS, the City Clerk of North Little Rock has caused to be published on November 26, 2009, notice of the filing correcting mistakes in the assessments as required pursuant to A.C.A. §14-90-601(b); and

WHEREAS, no appeal has been made to this City Council within ten (10) days after the publication of either of said notices; and

WHEREAS, said benefits received by each and every block, lot, and parcel of real property situated in said District equals or exceeds the local assessment thereon; and

WHEREAS, the estimated annual cost of said improvement is Three Hundred Fifty-Eight Thousand Ten Dollars (\$358,010.00); and

WHEREAS, the petition for formation of the District provided that the annual charges to any property owner in the District shall be limited to 30 mills (a mill being one-tenth of a penny) per each ten dollars (\$10.00) in appraised value of any such property owner's property as determined by the last county assessment of real property by the Pulaski County Assessor's office.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That said several blocks, lots, and parcels of real property in said district be assessed according to the assessment list for said improvement district as the same now remains in the office of the city clerk, and that 3% percent of the assessment of each of said blocks, lots, and parcels shall be collected by the Pulaski County Collector on or before the 11<sup>th</sup> day of October, 2010, and annually thereafter, with the first installment of general taxes until the whole of said local assessment shall be paid, provided, however, that the annual charges to any property owner in the District shall be limited to 30 mills (a mill being one-tenth of a penny) per each ten dollars (\$10.00) in appraised value of any such property owner's property as determined by the last county assessment of real property by the Pulaski County Assessor's office as of the date of any annual assessment by the District.

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.


SECTION 3: That the provisions of this Ordinance are hereby declared to be severable and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 4: It has been found, and it is hereby declared, by the City Council that there is an immediate need within the City of North Little Rock, Arkansas, for the improvements described above in this Ordinance and that the levy of the annual charge for the assessments by the District is the only means whereby these improvements may be accomplished; THEREFORE, an emergency is declared, and this Ordinance, being necessary for the preservation of public peace, health and safety, shall be in full force and effect upon its passage and approval.

PASSED:

APPROVED:

SPONSOR:

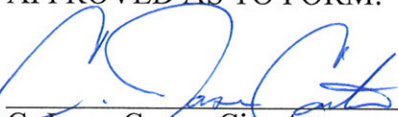
  
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Mayor Patrick H. Hays

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Mayor Patrick H. Hays

ATTEST:

\_\_\_\_\_  
Diane Whitbey, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
C. Jason Carter, City Attorney

PREPARED BY THE LAW FIRM OF HARDIN & GRACE  
AND THE OFFICE OF THE CITY ATTORNEY

FILED 11:58 A.M. \_\_\_\_\_ P.M.

BY City Atty Carter

DATE 12-8-09  
Diane Whitbey, City Clerk and Collector

North Little Rock, Arkansas

RECEIVED by J. Marshall